

Michael Rubin (SBN 80618)  
 Matthew Murray (SBN 271461)  
 ALTSHULER BERZON LLP  
 177 Post Street, Suite 300  
 San Francisco, CA 94108  
 Telephone: (415) 421-7151  
 Facsimile: (415) 362-8064  
 Email: mrubin@altber.com  
 mmurray@altber.com

Cliff Palefsky (SBN 77683)  
 Keith Ehrman (SBN 106985)  
 MCGUINN, HILLSMAN & PALEFSKY  
 535 Pacific Avenue  
 San Francisco, CA 94133  
 Telephone: (415) 421-9292  
 Facsimile: (415) 403-0202  
 Email: cp@mhpsf.com  
 keith@mhpsf.com

William B. Reilly (SBN 177550)  
 LAW OFFICE OF WILLIAM REILLY  
 86 Molino Avenue  
 Mill Valley, CA 94941  
 Telephone: (415) 225-6215  
 Facsimile: (415) 634-2897  
 Email: bill@williambreilly.com

*Attorneys for Plaintiffs and the Class*

**UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA  
 OAKLAND DIVISION**

PETER SCHUMAN, an individual, and  
 WILLIAM COPLIN, an individual, on behalf  
 of themselves and on behalf of others  
 similarly situated,

Plaintiffs,

v.

MICROCHIP TECHNOLOGY  
 INCORPORATED, a corporation; ATMEL  
 CORPORATION, a corporation; and ATMEL  
 CORPORATION U.S. SEVERANCE  
 GUARANTEE BENEFIT PROGRAM, an  
 employee benefit plan,

Defendants.

Case No. 4:16-CV-05544-HSG

**CLASS ACTION**

**JUDGMENT  
 PURSUANT TO F.R.C.P. 54(b)**

Courtroom: 2, Floor 4  
 Judge: Hon. Haywood S. Gilliam, Jr.

Action Filed: September 29, 2016  
 Trial Date: Not Set

1 Plaintiffs Peter Schuman and William Coplin filed this putative class action in September  
2 2016 against Defendants Microchip Technology, Inc. et al. under Sections 502(a)(1)(B) and  
3 502(a)(3) of ERISA, 29 U.S.C. §§ 1132(a)(1)(B), 1132(a)(3), on behalf of themselves and 218  
4 similarly situated former employees of Defendant Atmel Corporation. Dkt. 1. The Court certified the  
5 220-plaintiff class under Fed. R. Civ. Proc. 23(b)(2) and (b)(3) on February 24, 2020 (Dkt. No. 122;  
6 *see also* Dkt. No. 131).

7 On August 23, 2023, the Court granted Defendants' motion for summary judgment as to  
8 Plaintiffs Schuman and Coplin, but otherwise denied Defendants' motion, noting that it was unclear  
9 how this class action would proceed without the two named Plaintiffs and ordering the parties to  
10 show cause why the class should not be decertified based on the individualized inquiry that would be  
11 necessary, under the Court's reasoning, to assess the validity of the releases signed by the majority  
12 of the class members. Dkt. No. 185. The parties responded to the order to show cause, and Plaintiffs  
13 also moved for leave to amend the operative complaint. Dkts. 187-90; *see also* Dkt. 196.

14 One of the threshold disputes in this case is what legal test the Court should apply in  
15 determining the enforceability of the releases signed by Plaintiffs Peter Schuman and William  
16 Coplin and the majority of class members. *See* Dkt. 196 at 1-2. The Court finds that all parties, and  
17 the Court, will benefit from a prompt interlocutory review of the Court's summary judgment order to  
18 enable the Ninth Circuit to provide a definitive resolution of that issue, which could materially affect  
19 how the remainder of this case will proceed.


20 Fed. R. Civ. Proc. 54(b) provides that, when multiple parties are involved in an action, the  
21 Court may direct entry of a final judgment as to some but not all parties if the Court determines that  
22 there is no just reason for delay. Entry of a final judgment in favor of Defendants and against  
23 Plaintiffs Schuman and Coplin only, and not against the other members of the certified class, will  
24 enable the two named Plaintiffs promptly to appeal the Court's judgment against them,  
25 notwithstanding that the Court has not entered judgment with respect to any other members of the  
26 certified class, thus avoiding the needless delay that would result from the parties having to litigate,  
27 and the Court having to adjudicate, issues pertaining to decertification of the class, amendment of  
28 the complaint, substitution of new class representatives, and any other issues that could arise going

1 forward in this case in the absence of a prompt interlocutory appeal of a Judgment entered against  
2 the named Plaintiffs.

3 For the reasons set forth above and in Dkt. 196, and in the interest of judicial efficiency, the  
4 Court finds that there is no just reason for delay of the entry of final judgment against Plaintiffs Peter  
5 Schuman and William Coplin.

6 Therefore, the Court enters final judgment pursuant to Fed. R. Civ. Pro. 54(b) in favor of all  
7 Defendants and against named Plaintiffs Peter Schuman and William Coplin for the reasons stated  
8 above and in the Court's August 23, 2023 Summary Judgment Order; and further, the Court orders  
9 that all further proceedings in this action shall be and hereby are STAYED pending resolution of any  
10 timely appeal and/or cross-appeal taken from this Rule 54(b) Judgment..

11  
12 Dated: 4/11/2024

  
HAYWOOD S. GILLIAM, JR.  
United States District Judge